

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

KENLEE GALVEZ,

Defendant.

17 Cr. 662-002 (PAE)
24 Civ. 6207 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On November 19, 2020, defendant Kenlee Galvez was sentenced by the Honorable Deborah A. Batts principally to a term of imprisonment of 132 months, based on charges of Hobbs Act robbery and conspiracy to commit Hobbs Act robbery. Dkt. 163. Galvez filed a notice of appeal, Dkt. 173, but on April 13, 2021, the United States Court of Appeals for the Second Circuit dismissed his appeal as withdrawn, Dkt. 198. The case was transferred to the supervision of this Court after Judge Batts' death. Dkt. 143.

On August 7, 2024, Galvez filed a *pro se* motion requesting that the Court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline, which went into effect on November 1, 2023 and applies retroactively. Dkt. 223; *see also* Dkt. 224 (order of September 3, 2024, so construing Galvez's motion). The United States Probation Department has issued a report indicating that Galvez is not eligible for a sentence reduction. Dkt. 225.

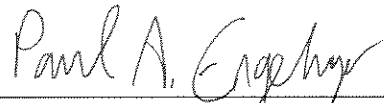
The Court has considered the record in this case, including the submissions on this motion of the defendant and the Probation Department.

The Court finds that Galvez is ineligible for a reduction of sentence because, as explained by the Probation Department, he does not meet either of the eligibility criteria of Amendment 821. The Court therefore denies Galvez's motion.

The Clerk of Court is requested to terminate the motions at Dkt. 223 of 17 Cr. 662-002 (PAE) and Dkt. 1 of 24 Civ. 6207 (PAE); close 24 Civ. 6207 (PAE); and to mail a copy of this order to Galvez at the below address:

Kenlee Galvez, #79591-054
United States Penitentiary – Atwater
P.O. Box 019001
Atwater, CA 95301

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: September 30, 2024
New York, New York